

<b>Examiner-Initiated Interview Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/585,497	MONRO, DONALD M.	

  

<b>Examiner</b>	<b>Art Unit</b>	
Nirav G. Patel	2624	

**All Participants:**

**Status of Application:** \_\_\_\_\_

(1) Nirav G. Patel. (3) \_\_\_\_\_.

(2) Kenneth R. Eiferman (Reg. No.: 51,647). (4) \_\_\_\_\_.

**Date of Interview:** 28 June 2010

**Time:** 3:20 pm

**Type of Interview:**

- Telephonic  
 Video Conference  
 Personal (Copy given to:  Applicant     Applicant's representative)

Exhibit Shown or Demonstrated:  Yes     No

If Yes, provide a brief description: \_\_\_\_\_.

**Part I.**

Rejection(s) discussed:

101, 112

Claims discussed:

28, 33, 35, 56-59, 61, and 63

Prior art documents discussed:

N/A

**Part II.**

SUBSTANCE OF INTERVIEW DESCRIBING THE GENERAL NATURE OF WHAT WAS DISCUSSED:

See Continuation Sheet

**Part III.**

- It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview directly resulted in the allowance of the application. The examiner will provide a written summary of the substance of the interview in the Notice of Allowability.  
 It is not necessary for applicant to provide a separate record of the substance of the interview, since the interview did not result in resolution of all issues. A brief summary by the examiner appears in Part II above.

/Nirav G. Patel/  
 Examiner, Art Unit 2624

(Applicant/Applicant's Representative Signature – if appropriate)

Continuation of Substance of Interview including description of the general nature of what was discussed: The applicant's representative was advised that the amendment to claim 28 did not meet the requirements for enablement as there is no structure/algorithm for the software means claimed. The Examiner suggested removing the software limitation to overcome the potential rejection. Next, Claim 33 was identified as a claim which did not further limit the scope of the claim and as such should be cancelled, as well as claims 56-59 as they are similar. Claim 35 is still considered non-statutory and fails to overcome the previous § 101 rejection as the claim requires a machine-readable data carrier (transitory). The Examiner suggested removing the data carrier limitation to overcome the potential rejection. The same applies to claims 61 and 63. The applicant's representative indicated that an authorization for an Examiner's Amendment could not be made and that an Office Action be mailed.